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PTO/SB/30 (09-04)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Request  
for  
Continued Examination (RCE)  
Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/1867,227
Filing Date	May 29, 2001
First Named Inventor	Thomas E.
Art Unit	1774
Examiner Name	Dicus, T.
Attorney Docket Number	IP-6037

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and emendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - Other \_\_\_\_\_
  - Enclosed
    - Amendment/Reply
    - Affidavit(s)/Declaration(s)
2. **Miscellaneous**
  - Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
  - Other \_\_\_\_\_
3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 09-1867,227. I have enclosed a duplicate copy of this sheet.

  - RCE fee required under 37 CFR 1.17(e)
  - Extension of time fee (37 CFR 1.136 and 1.17)
  - Other \_\_\_\_\_
  - Check in the amount of \$ \_\_\_\_\_ enclosed
  - Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED		
Signature	<i>Thomas W. Barnes III, Ph.D.</i>	Date <u>October 27, 2004</u>
Name (Print/Type)	Registration No. <u>521545</u>	

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Thomas W. Barnes III, Ph.D.</i>	Date <u>10/27/04</u>
Name (Print/Type)		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (or by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete. The burden of providing the information is on the person who applies for a patent in the United States. Time for filing is dependent upon the individual case. Any comments on the amount of time required to complete this form and/or suggestions for reducing this burden should be directed to the Office of the U.S. Patent and Trademark Office, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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a.  Previously submitted, if a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply

ii.  Affidavit(s)/Declaration(s)

iii.  Information Disclosure Statement (IDS)

iv.  Other \_\_\_\_\_

2. **Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)

b.  Other \_\_\_\_\_

3. **Fees**

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a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 09-0525. I have enclosed a duplicate copy of this sheet.

i.  RCE fee required under 37 CFR 1.17(e)

ii.  Extension of time fee (37 CFR 1.136 and 1.17)

iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2036 enclosed)

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

**CERTIFICATE OF MAILING OR TRANSMISSION**

Office on the date shown below:  
Signature: *James W. Powers III* *5-25-05*  
Name (Print/Type): *James W. Powers III PhD.* Date: *10/05/05*  
This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.114. This collection is estimated to take 12 minutes to complete, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information to respond to this form and for suggesting reductions for this burden. This burden is subject to change at any time. If you have comments concerning the amount of time you require to respond to this form and/or suggestions for reducing this burden, please be sure to send the to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Comptroller for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.